

# planning supplement to background



Ministry of  
Municipal  
Affairs

Ontario

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## SUDBURY OECD CASE STUDY

Recently, the Ministry of Municipal Affairs was given the opportunity to be involved in an international study on urban economic development sponsored by the Paris-based Organization for Economic Cooperation and Development (OECD). Canada, as a member country, was invited to participate and the Ministry of State for External Affairs designated the Canada Mortgage and Housing Corporation as the responsible federal agency. CMHC, in turn, asked the Ontario Ministry of Municipal Affairs to undertake the project on urban economic development on behalf of Canada. The project consisted of two parts: a national report and a case study of a specific municipality.

The national report, prepared by the ministry staff, provided an overview of federal and provincial programs. It was submitted to OECD in April, 1984. The more significant aspect of the project was the case study of a specifically chosen municipality. Sudbury was selected and a consultant was hired to prepare the case study.

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The Sudbury Region was chosen as an example of a resource-based economy vulnerable to economic shifts beyond the control of any level of government. The late 1970's and early 1980's saw a changing world market, both in terms of the demand for nickel and the sources of supply. These events, along with refinements in mining technology, resulted in severe job losses in the Region of Sudbury.

The report recognized the contribution and coordination of all three levels of government, the business sector, labour and community groups in a wide range of economic development activities. The local government played an active role in creating new jobs and moving towards economic diversification. It was clear that the initiatives in Sudbury warranted a closer examination and could provide valuable lessons for other municipalities experiencing economic hardships. The Sudbury case study did not attempt to evaluate the programs and policies of senior government, rather, it looked at the process the local government went through to respond to a crisis situation.

In the period from 1970 to 1983, characterized by fluctuations in world demand for nickel, the employment levels in Sudbury fell from a high of 30,000 workers in 1970 to less than 14,000 in 1983. The percentage of the labour force in the nickel industry decreased from 47% to 22%, while unemployment hit a high of 30% in 1982.

It was not until 1977 that the Region and Inco and Falconbridge recognized that these fluctuations were not part of a normal five year cycle the community had grown accustomed to, but rather marked a fundamental change in the mining industry and the role it would play in Sudbury's future. After the massive layoffs of 1982 the recurring call for economic diversification took on a new and more urgent meaning.

The Region decided to take action across a broad front to address economic development issues and to counter Sudbury's image problems which were seen as a disincentive to investment in the area.

One of the most notable accomplishments identified in the study was Sudbury's ability to respond to a wide range of government programs quickly and effectively and to adapt programs to meet its own needs. The Sudbury Regional Development Corporation (SRDC) acted as a catalyst and coordinating agency between the private sector and senior levels of government, providing information on available programs, assisting in applying for funding and sponsoring studies and research in economic development.



The study also found that the massive layoffs by Inco and Falconbridge in 1982 mobilized the Region, labour officials and representatives from all sectors of the community to embark upon a two part strategy. Firstly, SRDC set up an "Idea Bank" inviting the entire community to contribute suggestions for job creation and economic opportunities. Secondly, Regional Council established a number of task forces to investigate job creation prospects in the eight areas of mining, government administration, business, industry, finance, health services, agriculture and education.

The success of the individual task forces varied. However, they created short term jobs for more than 4,600 unemployed people so that they could retain eligibility for unemployment insurance benefits, thereby keeping them off welfare assistance.

Upon submitting the Sudbury case study to OECD, the Ministry's Anne Beaumont and Sudbury Regional Chairman Tom Davies attended an OECD Seminar on "Opportunities for Economic Development" in June, 1985. The papers presented at the seminar, along with the case studies prepared by member countries will form the basis for an OECD publication by the project group on urban economic development.

For further information on this project please contact Louis Spittal, Research and Special Projects Branch 585-6260 or Anne Dragicevic, Community Planning Programs Division 585-6263.

#### 1986 CENSUS QUESTIONNAIRE REDUCED

The next Census will take place on June 3, 1986. A decision had been taken to cancel the 1986 Census entirely, as a cost cutting measure, but the decision was reconsidered in response to representations from users of Census data, including several municipalities. Eventually, the 1986 Census was reinstated, but in a somewhat more modest form.

When originally approved by Cabinet, the 1986 Census program included plans for the collection of data on the same nine categories of dwelling units as in the 1981 Census. This required an expenditure of \$1.2 million. In re-instating the Census, Cabinet directed Statistics Canada to realize economies on the Census program and specifically to reduce the questionnaire content. Part of the \$10 million reduction in planned expenditure on Census operations will be realized by reducing the number of categories of dwelling types from nine to four. The remaining four categories under the heading "structural type" will be:

- single family detached dwelling,
- apartment unit in a building of five or more storeys,
- movable dwelling unit,
- other.

The word "other" is a catch-all which includes such diverse dwellings as duplexes, row houses, semis, low-rise apartments and houses attached to non-residential buildings. Each of the latter was previously in a separate category. This compromise solution was adopted rather than eliminating the question altogether, in deference to the needs of users of the data. On the positive side, a new methodology has been adopted which it is hoped will correct data quality problems experienced in the 1981 Census.

The original cost-cutting order by Cabinet had included a directive to Statistics Canada to reduce the net expenditure of its overall operation by \$100 million. This directive remained unchanged when the Census was re-instated. Moneys to fund the restored Census operation were re-directed internally.

Most of the \$10 million cutback in the cost of the Census came not through content reductions but in cutbacks to programs such as Census public communications. Taking this approach was an indication of the faith Statistics Canada had in the good-will of the user community and their willingness to contribute to the Census operations in the form of public communications support.

Despite the loss of the more detailed structural data there is a great deal of value in the 1986 Census for municipal governments. The 1986 Census will still be the largest mid-decade Census in Canadian History. For the first time, data will be available on our aboriginal population, on the disabled and on the area of specialization of people with postsecondary degrees.

Statistics Canada values its relationship with municipal governments and trusts that they will provide the traditionally high level of support for Census public communication that has been offered in the past.

(The above article is based on material supplied by Statistics Canada. Additional information on aspects of the 1986 Census of interest to planners will be included in the next issue.)



## PLANNING AND THE LAW

### HAZARD LAND ISSUES IN GLENELG TOWNSHIP

Sections of the official plan for the Grey-Owen Sound Planning Area were referred to the municipal board at the request of some residents of the Township of Glenelg. At issue were the policies relating to hazard lands.

The planner defending the plan explained the hazard land policy as a constraint approach to development. In areas designated as high hazard, development is prohibited until the proponent can satisfy the municipality that measures will be taken to deal with the hazardous condition. This approach permits development to proceed upon a zoning amendment, without a need to amend the official plan. The Board approved the policies after making some minor text changes.

Amendment No. 6 to the official plan was also before the Board, on a referral by the Minister. It is a refinement of earlier flood plain management policies and introduces a two zone floodway - flood fringe concept. It is based on the 1982 Flood Plain Criteria, issued jointly by the ministries of Natural Resources and Municipal Affairs and Housing. The Board approved the amendment without change, as it was unopposed at the hearing.

The Board also considered a number of zoning by-laws at the same hearing. Again, the issue was hazard land. The Board sympathized with the township's problem in determining the precise boundaries of areas subject to flooding. The cost of the necessary studies would be prohibitive. The Board accepted that the outline in the by-law was not based on detailed information and agreed that for practical purposes it was acceptable that detailed hazard land mapping could be obtained on specific properties when applications for development were submitted. On October 17, 1985, the Board approved the by-laws as submitted.

Source: Decision of the Ontario Municipal Board  
Grey-Owen Sound Official Plan and Amdt. No. 6  
Glenelg Township Zoning By-law 1397 etc.  
O.M.B. files R820923, R812663 and C850088

INTERVENOR FUNDING DECISION  
OVERTURNED IN HAMILTON-WENTWORTH

The Region of Hamilton-Wentworth, having determined to construct a new road connecting Highway 403 in Ancaster to the QEW in Hamilton, was required to obtain approvals under two or more statutes. For this purpose, a "Joint Board" was constituted under the Consolidated Hearings Act.

Several groups appeared in opposition to the project and requested funding to cover their costs. After hearing extensive argument as to its jurisdiction to provide funds, the Board concluded affirmatively and proceeded to reason that the intervention of these groups would further the hearing process. The Region was ordered to fund the groups' intervention by way of costs in advance. This decision was appealed to the Supreme Court of Ontario (Divisional Court).

The Court, in a lengthy decision, discussed whether the Joint Board could legally award costs in advance. It found that the groups had really been seeking a grant of "intervenor funding", which is fundamentally different, in a legal sense, from "costs". There was no doubt that the statute made no provision for intervenor funding. The Board had erred in attempting to fund intervention in advance of a hearing and before it had an opportunity to determine the value of the contributions to be made by the intervenors. On June 28, 1985, the Court quashed the order of the Joint Board, on the grounds that it had acted beyond its jurisdiction.

On October 24, 1985, in approving the expressway, the Board awarded costs to the objectors in the amount of \$150,000. The decision of the 3 member Board is over 300 pages long. It includes a dissenting opinion by its chairman, covering more than 100 pages. In addition to concluding that the expressway should not be built in the Red Hill Creek valley, the chairman felt that costs should have been awarded to the objectors in an amount sufficient to cover a substantial portion of their expenses. He would have awarded them \$200,000 for legal expenses plus \$49,206 for expert witness fees. The Region had argued that under the Environmental Assessment Act the proponent was under a statutory obligation to present both sides of the picture and it was therefore unnecessary to encourage opposition. Without in any way implying that the Region had deliberately withheld information, the chairman made it clear that the objectors had played a very useful role in bringing out evidence which would



otherwise not have been brought to the Board's attention. He noted that the cost of just two of the Region's consultants was about double the cost of all the consultants called by the citizen groups.

Sources: 1. Decision of the Supreme Court of Ontario (Divisional Court) No. 14/85  
2. Decision of The Joint Board  
The Consolidated Hearings Act  
Mountain East-West and North-South  
Transportation Corridor

#### CONSCIENTIOUS INSPECTION LEADS TO PURIFIED CONSERVATION AREA

Citing an unauthorized change in use, a City of Westminster inspector served enforcement notices on nine establishments in London's Soho district. The owners appealed and an inquiry ensued. The uses involved near beer topless bars, a nude encounter parlour and a nude peepshow. The inspector expressed his gratitude to the parties "for arranging a comprehensive site inspection which lasted eight hours". Much of that time, he hastened to add, was taken in visiting small craft industries, residential development and the local school and included a general tour of the area.

The charges referred to the detrimental effects of the uses on the amenities of adjoining residents. The inspector described one basement bar as sordid and unattractive. Noting that the pornographic slides were out of focus and the charges for the poor entertainment were very high, he was not surprised that nearby residents complained of the disturbance caused by arguments occurring on the premises. He disputed the claim of another establishment that its activities qualified as a permitted use, namely a club. There appeared to be no membership, no rules and no management committee. It was deemed "a disgrace to the Conservation Area". On September 11, 1985, all nine appeals were dismissed.

Source: Planning 636, September 20, 1985, a magazine published by Ambit Publications in Gloucester, U.K.

## INFORMATION EXCHANGE

1. Retail Facilities in the R.M.O.C., June, 1985  
Ottawa-Carleton, Larry Smith and Associates

The Study assesses the current and future retail market in the Ottawa-Carleton region and recommends levels and locations for future retail growth.

The consultants estimate that by the year 2001 the region will be called upon to accommodate another 6.7 to 6.8 million square feet of retail gross leasable area (GLA). They suggest three additional regional shopping centres (of at least 500,000 GLA), six additional community centres (of 200,000-350,000 GLA) plus some expansion of existing centres. The authors also recommend the Region take an interest in the location and expansion not only of the regional-sized centres, but of smaller centres located on regional roads. They also recommend uniform shopping hours for all retail facilities in the region.

The study involved 1,872 personal surveys of shoppers in six existing shopping centres and districts as well as 1,000 in-home interviews. The study was utilized by staff to develop the retail policies in the official plan review. It is expected that the study, which is available for \$18.00, will be very valuable for those involved in developing retail space in the region.

Contact: Murray Chown (613) 560-2053 ext. 1596

2. Medical Facilities Report December, 1982  
Kitchener Department of Planning and Development

A report containing policies for the location of medical offices and clinics within Low Density and High Density residential designations of the City's official plan. A proposed parking standard of 6 spaces per practitioner is included.

Contact: Sybil Frenette, Senior Planner  
(519) 885-7383

3. A Locational Policy for Child Care Facilities  
February, 1982, Kitchener Department of Planning and Development

A report prepared as a basis for official plan policies and zoning regulations applicable to day nurseries, day care centres, nursery schools and private home day care.

Contact: Sybil Frenette, Senior Planner  
(519) 885-7383



4. Private Roads Study, December, 1982  
Township of The North Shore

A study leading to an official plan amendment containing policies governing municipal involvement in the funding of improvements to private roads for the purpose of assumption by the Township and policies related to development on private roads. Legal, financial and economic implications are covered.

Contact: Robert Lehman, Planning Consultant  
Barrie: (705) 737-4512

5. Service Station Conversion Report, August 1985  
Kitchener Dept. of Planning and Development

This report examines the implications of the trend toward the closing of service stations within low density residential areas. Alternative policy responses are considered toward their conversion to repair garages when the gas pumps are removed.

Contact: Sybil Frenette, Senior Planner  
(519) 885-7383

## CONFERENCES

1. MOUNT ALLISON UNIVERSITY, SACKVILLE, N.B.  
JUNE 11-14, 1986

Mount Allison University is calling for papers to be presented at a major national conference on the role of integrated rural planning and development in Canada. Abstracts should be submitted to Floyd Dykeman or Larry McCann in Sackville by January 31, 1986. Ken Bauman at (416) 585-6236 has additional information.

2. WINTER CITIES FORUM '86  
EDMONTON, ALBERTA, FEB. 15-19

Finding a cure for the common cold. Co-hosted by the City of Edmonton and the Canadian Livable Winter City Association, Winter Cities Forum '86 is joining forces with the U.N.'s Economic Commission for Europe, Environments and Human Settlements Division, whose research colloquium will embrace the Forum. From more than 15 countries, the Forum will bring together leaders, urban planners, architects, engineers, scientists and northern specialists.

In Toronto, the LWCA is holding a wine and cheese event at City Hall, 6 p.m. on January 23. Dr. Colin Williams will describe wind studies in new urban projects in Canada and the U.S.

## Computer Information Exchange

In the April issue of the Planning Supplement to Background, we are planning to devote part of the Information Exchange to computers. Many planning departments are experimenting with the use of computers and are acquiring experience which could be useful to their colleagues. The Planning Supplement could be a convenient vehicle for an exchange of ideas. If you feel you have something to contribute, please communicate with Usman Ahmed, electronically or otherwise, at the Research and Special Projects Branch (585-6261).

### NEWS FLASHES

#### o Negotiation Video Tape Now Available

Copies of Professor Larry Susskind's address to the 1985 Ontario Planners' Conference may now be borrowed, free of charge, from the Community Planning Advisory Branch. Professor Susskind is the Executive Director of the Harvard Law School Programme on Negotiation and his remarks on the negotiation process are both informative and enlightening.

If you are interested in borrowing the VHS video tape, please contact Elizabeth Lea of the Community Planning Advisory Branch at (416) 585-6238.

#### o Site Plan Control

The site plan control provisions of the new Planning Act will not come into effect as originally scheduled on January 1st. The proclamation has been deferred because only a relatively few number of municipalities have approved official plan policies in place. As a result, the ministry has decided to give municipalities one final opportunity to prepare and have approved the necessary official plan provision in order to use the site plan control authority under the new Act. All municipalities will be advised of the new effective date.



o Community Planning - The Simple Facts

A series of eight brochures on how the community planning process works is being sent to every municipality in Ontario. Written in layman's terms, these brochures explain the basics of:

- o The Planning Act
- o Northern Ontario Planning
- o Official Plans
- o Zoning By-laws and Minor Variances
- o Subdivisions
- o Land Severances
- o Building Permits
- o The OMB

Citizens, new councillors and others interested in land use planning, the steps in the process, and the roles of the various people involved will find these Citizens' Guides of interest. Produced by the Office of Local Planning Policy, the brochures will be available free at all local municipal offices, and planning boards in the North.

o Grumpies to Dominate in the 1990's

In a New York Times article, a couple of experts from the Rutgers Center for Urban Policy Research predict a home ownership boom in the mid 1990's as the baby-boomers reach their peak income-earning years: the 35 to 54 age group. Households in the 35 - 44 age category will dominate numerically in the 1980's but this largest group will become the 45 to 54 age category in the 90's "as yuppies will be transformed into grumpies (Grown Up Mature Professionals)".

o Financial Impact Analysis

A handy little publication is now available from the Ontario Government Bookstore dealing with the process for determining the financial impact of development proposals or planning policy on a municipality. It costs \$5 and may be ordered by mail from:

M.G.S. Publications  
5th floor, 880 Bay Street  
Toronto, Ontario  
M7A 1N8

o All Municipalities Eligible for Community Planning Grants

On October 18th the Minister of Municipal Affairs announced that financial assistance is now available to all municipalities to resolve broadly based local planning issues. Prior to that date, only municipalities with populations under 65,000 were eligible. Interested municipalities should contact their local CPAB field office.

PLANNING HISTORY

This is a continuation of Curt Halen's historical notes.

Part II: Pre World War II

- o The Planning and Development Act of 1917 was enacted by the Ontario Legislature to enable cities, towns and villages across the province to adopt "general" plans. Such plans could also deal with surrounding "urban zones". This included the area within five miles of cities and three miles of towns and villages.

The Planning and Development Act provided the first explicit legislative authority for municipalities to plan on a comprehensive basis. Even so, most of the new legislative provisions concerned subdivision development and the orderly laying out of new roads.

The new "general" plans were approved by the Ontario Railway and Municipal Board (now Ontario Municipal Board) before they could be finally adopted by the municipality. Municipal councils were given the authority to approve plans of subdivision.

The scope of a "general" plan was limited to showing:

"... all existing highways and any widening, extension or relocation of the same which may be deemed advisable, and also all proposed highways, parkways, boulevards, parks, playgrounds and other public grounds or public improvements, and shall be certified by an Ontario land surveyor."



- o In the early 1920's, the United Farmers of Ontario formed a coalition government with the Labour Party. In 1921 this new government enacted the beginnings of Ontario's present general zoning legislation.

This new power for municipal councils of cities, towns and villages (as well as those of adjoining townships) to regulate land use was incorporated into the Municipal Act. The new legislation specifically authorized municipal councils, for the first time in Ontario, to:

- o "pass by-laws for prohibiting the use of land or the erection or use of buildings within any defined area ... for any purpose other than that of a detached private residence."
- o "regulate, by by-law, the height, bulk, location, spacing and character of buildings to be erected or altered in designated areas and the proportion of the area of the lot which such building may occupy."

All such municipal by-laws were required to be approved by the Ontario Railway and Municipal Board.

TO BE CONTINUED

## PEOPLE

- Lorne McCool, the City of York's Planning Commissioner since September, comes from the Ministry of Energy, where he was manager of municipal programs. He was previously Planning Commissioner and deputy C.A.O. for the City of Kanata.
- R. Scott Burns is now an Associate Partner in the firm of Hemson Consulting Ltd. He was previously Director of Planning for Inducon Consultants of Canada Limited.
- The new Deputy Planning Commissioner for the City of Saint John, N.B. is Stephen Bedford, who was a senior planner with the City of St. Catharines.
- Glenn Miller is now the planning co-ordinator for the railway lands in Toronto. He is employed by Mathers and Haldenby, on contract to Marathon Realty. Glenn was previously with the City of Scarborough planning department and before that, with Sankey Partnership.

- Julius Gorys has moved from the City of Mississauga planning department to the Ministry of Transportation and Communications, where he will be a senior planner in the Transportation Demand Forecasting Office. Julius had been with Gary Stamm, economic research consultant, before going to Mississauga in 1983.
- The City of Scarborough's Community Planning Division has acquired the services of Carleton Stewart as a senior planner. Carleton had been with Mississauga for 6 years and was with the Region of Peel before that.
- David Matthews has joined Patrick Sweet's consulting firm as a Senior Associate. He comes from Proctor & Redfern.
- Chris Rabenda is now with the Region of Waterloo's Planning and Development Department as a Senior Planner. Prior to joining the Region, Chris was busy acquiring his doctorate. He had previously been employed by Marshall, Macklin, Monaghan.
- Barb Dembek has left Waterloo Region to become Planning Director for the Township of Wilmot. She succeeds Bob Lehman, whose planning interests are now on a more spiritual plane: he entered the ministry.
- Helen Bulat has moved from the Ministry of Municipal Affairs to the City of Toronto, where she is employed in the West-Central Neighbourhoods Section.
- Hilkka Salonen has retired from the Plans Administration Branch after a 32 year career with the Ontario government. Bill Anderson has moved to East York to become Business Development Officer. Steve Carty, Tom Smart and Ray Parfitt have recently joined the Community Planning Wing of the Ministry. Steve comes from the North York planning department, Tom from the Niagara Escarpment Commission and Ray from a consulting practice in Victoria, B.C.

The next issue of the Planning Supplement to Background is scheduled to appear in mid-April. If you have information for our "People" column, please call Pierre Beeckmans at (416) 585-6257 or drop him a line at

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